

U.S. Patent Application Serial No. 10/516,949
Amendment filed March 30, 2009
Reply to OA dated October 30, 2008

REMARKS

Claims 1, 3-9 and 11-16 are pending in this application. Claims 1 and 9 have been amended herein. The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **October 30, 2008**.

Claims 1, 3-9 and 11-16 are objected to because of informalities. (Office action paragraph no. 2)

Applicants respectfully submit that this objection should be withdrawn, for the following reasons.

The Examiner has objected to the phrase "collected respectively by corresponding said each collection tank."

Claims 1 and 9 have been amended herein in a manner intended to overcome this objection. Claims 1 and 9, as amended herein, do not include the phrase "collected respectively by corresponding said each collection tank."

Accordingly, in view of the above, Applicants respectfully submit that this objection to claims 1 and 9 should be withdrawn. It is submitted that this objection to claims 3-8 and 11-16 should be withdrawn by virtue of their dependency.

Claims 1, 3-5, 7, 9, 11-13, and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 2000-183010A. (Office action paragraph no. 4)

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Claims 1-5, 7, 9-13, and 15 are rejected under 35 U.S.C. §102(b) as being anticipated by JP 11-309404A. (Office action paragraph no. 5)

Claims 6, 8, 14 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 2000-183010A. (Office action paragraph no. 7)

Claims 8 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 11-309404A. (Office action paragraph no. 8)

Claims 6 and 14 are rejected under 35 U.S.C. §103(a) as being unpatentable over JP 11-309404A as applied to claims 1 and 9 above, and further in view of JP 2000-183010 A. (Office action paragraph no. 9)

Applicants respectfully traverse those rejections, for the following reasons.

Claim 1, as amended, sets forth a combination of features including the following features: “wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected, said plurality of fences is respectively driven only upwards to separately collect said plurality of treatment solutions by kind with corresponding said each collection tank,” in combination with the other claimed features.

Claim 9, as amended, sets forth a combination of features including the following features: “wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected,

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said plurality of fences is respectively driven only upwards to separately collect said plurality of treatment solutions by kind with corresponding said each collection tank," in combination with the other claimed features.

In the response to the Office action of April 7, 2008, Applicants have argued that:
regarding JP2000-183010A, when chemical solution and rinse solution are respectively collected by a chemical solution recovering cup (15) and a rinse solution recovering cup (16), **only an intermediate cup wall (30) is driven up and down**, and
regarding JP11-309404A, when chemical solution and pure water are respectively collected by a first recovery chamber (28) and a second recovery chamber (29), **only a separation plate (41) is driven up and down**.

Applicants argued that this differentiates these references from the combinations of features as set forth in the claims.

Claim 1, as amended, sets forth a combination of features including the following features: "wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected, said plurality of fences is respectively driven only upwards to separately collect said plurality of treatment solutions by kind with corresponding said each collection tank," in combination with the other claimed features.

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Claim 9, as amended, sets forth a combination of features including the following features: "wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected, said plurality of fences is respectively driven only upwards to separately collect said plurality of treatment solutions by kind with corresponding said each collection tank," in combination with the other claimed features.

The wording of this portion of the claims has now been amended for clarity, as discussed above.

The Examiner appears to suggest in the rejection that JP2000-183010A teaches the above-described features of the present application in paragraph [0045], and JP11-309404A teaches the above-described features of the present application in paragraph [0140].

However, the paragraph [0045] of JP2000-183010A only describes that a substrate processing device provided with two cups - the chemical solution recovering cup (15) and the rinse solution recovering cup (16) - is taken as a mere example in the embodiment and that three or more cups can be arranged. Thus, **there is no concrete description** that a plurality of intermediate cup walls, etc., which set each collection tank, describe, teach, or suggest the combination of above-discussed features as set forth in claims, as amended.

Furthermore, as described above, it is only described in the embodiment of JP2000-183010A specification that **the intermediate cup wall (30)** dividing the two recovering cups is **driven up and down** to collect each treatment solution. In view of this, when three or more cups are arranged as

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in paragraph [0045], it evokes collecting each treatment solution by **driving the intermediate cup wall (30)** dividing two adjacent recovering cups **up and down**, but does not describe, teach, or suggest the combination of above-discussed features as set forth in claims, as amended.

Similarly, the paragraph [0140] of JP11-309404A only describes that the combination of a developing solution and pure water is taken as a mere example in the embodiment and that it can be applied to the change of plural etching reagents. So, **there is no concrete description** that the plurality of fences which sets each collection tank describe, teach, or suggest the combination of above-discussed features as set forth in claims, as amended.

Furthermore, as described above, it is only described in the embodiment of JP11-309404A specification that **the separate plate (41)** dividing the two recovering cups is **driven up and down** to collect each treatment solution. So, there is no description to describe, teach, or suggest the combination of above-discussed features as set forth in claims, as amended.

Accordingly, in view of the above, Applicants respectfully submit that JP 2000-183010A and JP 11-309404 A, alone or in combination, fail to describe, teach, or suggest the following combination of features as set forth in claim 1, as amended: “wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected, said plurality of fences is respectively driven only upwards to separately collect said plurality of treatment solutions by kind with corresponding said each collection tank,” in combination with the other claimed features.

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Accordingly, in view of the above, Applicants respectfully submit that JP 2000-183010A and JP 11-309404 A, alone or in combination, fail to describe, teach, or suggest the following combination of features as set forth in claim 9, as amended: "wherein said treatment solution collection unit has a plurality of fences which sets each collection tank in said plurality of correction tanks, and when said plurality of treatment solutions is collected, said plurality of fences is respectively driven only upwards to separately collect said plurality of treatment solutions by kind with corresponding said each collection tank," in combination with the other claimed features.

Applicants respectfully submit that the rejections of claims 1 and 9 should be withdrawn for the reasons discussed above. It is submitted that the rejections of claims 3-8 and 11-16 should be withdrawn by virtue of their dependency.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the undersigned at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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Enclosures: Petition for Extension of Time
Request for Continued Examination (RCE)